IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18874 of 2007(V)

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PETITIONER:

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SAJEEV M.K.,
SECURITY GUARD, GENERAL ADMINISTRATION (HOME)
DEPARTMENT, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

BY ADV. SRI.V.K.SATHYANATHAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO THE GOVERNMENT,
DEPARTMENT OF LAW, GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

2. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVT., DEPARTMENT OF GENERAL
ADMINISTRATION (HOME), GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE CHIEF SECURITY OFFICER,
GENERAL ADMINISTRATION (HOME) DEPARTMENT,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. BALAKRISHNAN NAIR, J.

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W.P.(C) No.18874 of 2007 (V)

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Dated this the 20th June, 2007.

**JUDGMENT**

The petitioner is a Security Guard Grade II, working in the Administrative Secretariat. The Government have invited applications from eligible candidates for appointment as Legal Assistants Grade II, in the Law Department of the Government. The petitioner submitted an application for the said post. But, the same was rejected, on the ground that the petitioner does not have three years service under the State Government. According to the petitioners, he has military service for more than three years. It is submitted that he should be treated as qualified. But, the service prescribed under the special rules for the Secretariat Subordinate Service is three years under the State Government. Though military service may be counted for several purposes, the same cannot be counted for the service prescribed in the above Special Rules for appointment to the post of Legal Assistant Grade II. Therefore, I find no illegality in Ext.P7 order. This writ petition is accordingly dismissed.

**Sd/-**
**K. BALAKRISHNAN NAIR,**
**JUDGE.**

vav.